

REMARKS

35 U.S.C. §112, second paragraph

The Examiner rejected claims 1-37 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite, citing a number of instances of allegedly unclear claim language.

Particularly, with respect to claims 1, 14, 15, 20, 24, 26, 27, 28, 29, 32 and 35, the Examiner inquired whether the recitation "the session description protocol message" is the same as the message generated in accordance with session description protocol. Applicants note that the "session description protocol message" does in fact refer to the message generated in accordance with the session description protocol. Applicants also amended claim 1 to recite "including, in a session description protocol message, generated in accordance with a session description protocol," to thus clarify that "the session description protocol message" is the same as the message generated in accordance with session description protocol. Applicants similarly amended independent claims 14, 15, 20, 24, 26, 27, 28, 29, 32, and 35.

Additionally, with respect to independent claims 26 and 28, the Examiner inquired as to the meaning of the recitations "including means for including ..." and "sending means for sending ..." To expedite prosecution of the present application, Applicants amended claims 26 and 28 to remove the wording "including" and "sending" to thus recite "means for including" and "means for sending."

Additionally, with respect to independent claim 27, the Examiner inquired as to the meaning of "data network" and "application server" in front of the wording "means

for." To expedite prosecution of the present application, Applicants amended claims 27 to remove the language "means for" to thus recite "data network for providing data communication resources," and "application server for connecting ..."

Further, with respect to claim 29, the Examiner inquired as to the meaning of "receiving at a processor" and "indicating at a processor." In response, to expedite prosecution of the present application, Applicants amended claim 29 to recite that the receiving and indicating operations of method claim 29 are performed at a computer-based device (thus tying the method operation to a specific machine). Support for this amendment is provided, for example, in originally-filed claim 14 of the present application.

Additionally, with respect to claim 32, the Examiner inquired as to the meaning of "memory and processor are configured to process ..." In response, to expedite prosecution of the present application, and in accordance with the Examiner's comments, Applicants amended independent claim 32 to recite "a memory to store program code; and a computer-based device, wherein the computer-based device is configured, when the program code is run on the computer-based device, to process ..." Support for this amendment is provided, for example, in originally-filed claim 14 of the present application.

35 U.S.C. §101

The Examiner rejected claims 14, and 35-37 under 35 U.S.C. §101 on the ground that the claimed invention is allegedly directed to non-statutory subject matter,

particularly, that the computer readable medium can be interpreted as a transitory medium.

In response, as suggested by the Examiner, Applicants amended independent claims 14 and 35 to recite that the computer program is embodied on a non-transitory computer readable medium. Applicants further state that Applicants have no intent for the computer readable medium to be a transitory medium. Applicants thus traverse the Examiner's rejection under 35 U.S.C. §101.

35 U.S.C. §112, first paragraph

The Examiner rejected claims 1-5, 7-15, and 20-35 under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to a person skilled in the art that Applicants had possession of the claimed invention at the time the application was filed.

Particularly, the Examiner inquired, with respect to claims 1-14, 15, 20, 24, 26, 27, 28, 29, 32, and 35, where in the specification is there support for the feature recited, for example, in claim 1 of "such that sending additional messages to communicate the floor status information between the communication system and the user equipment is avoided."

Applicants respectfully disagree with the Examiner's contentions regarding the alleged lack of support for the above feature.

Applicants' independent claim 1, as amended in response to the present office action, recites "including, in a session description protocol message, generated in accordance with a session description protocol, floor status information of a data communication media in relation to a party of a communication session, the message configured as at least one of an offer and an answer of the session description protocol associated with a session initiation, the floor status information configured as a value representing at least one [[of]] of: a floor granted, a floor taken, and a port number; and sending the session description protocol message including the floor status information between a communication system and a user equipment in order to avoid sending additional messages to communicate the floor status information between the communication system and the user equipment."

Accordingly, floor status information (e.g., floor granted, floor taken, etc.) is included in a session description protocol (SDP) message, which is used to communicate an offer and/or an answer of the SDP associated with a session initiation, which thus avoids having to send additional messages, e.g., RTCP messages, to separately communicate such status information:

[0046] The embodiments are based on the realisation that it might be advantageous if use of a specific state message could be avoided. For example, it might be advantageous to avoid using Real-time Transport protocol Control Protocol (RTCP) messages for communication of floor status information at the session set-up phase. In the following exemplifying embodiments, instead of having to indicate the initial floor control status in Push to talk session in a separate RTCP packet, the status is can be indicated in a Session Description Protocol (SDP) offer or answer. The provision of status information may be done by adding a single extension parameter to a SDP message with fixed token values describing the possible floor control states, such as floor granted or

floor taken. Thus the SDP message may be used for exchange of media and floor control parameters.

[0050] Instead of sending any initial RTCP floor granted (on caller side) and/or floor taken (on the called side) or similar messages, SDP messages may be used for the communication of the floor status information. The SDP answer on the calling party side at step 110 may carry information that the floor has been granted. The SDP offer on called party side at step 108 can be used to carry information that the floor has been taken. For this purpose a new attribute may be defined for the SDP so as to carry the floor control state. This may be done, for example, by means of the SDP extension model. The attribute may have enumerated values corresponding to the possible floor control states. The semantics of the attribute may be such that it is capable of informing the receiver of the initial state of the floor for the offered/answered media in question. The initial state indicated this way may be overridden by any subsequent RTCP floor control messages.

(Emphasis added, US 2005/0135374, pages 4-5, paragraphs 46 and 50)

Thus, the specification explicitly describes avoiding having to use, for example, Real-time Transport protocol Control Protocol (RTCP) messages for communicating floor status information, and instead using SDP messages to communicate floor status information.

Applicants thus traverse the Examiner's rejections of claims 1-14, 15, 20, 24, 26, 27, 28, 29, 32, and 35 under 35 U.S.C. §112, first paragraph.

Additionally, with respect to claims 20, 29, and 32, the Examiner stated that the specification allegedly does not provide support for a "processor." In response, to expedite prosecution of the present application, Applicants amended the claims to recite a "computer-based device." Support for this amendment is provided, for example, in

originally-filed claim 14 of the present application. Applicants similarly amended claims 14, 15, 22-24, and 33-35.

Claim Objections

The Examiner raised a number of objection regarding the claim language of the independent claims, arguing, for example, with respect to claim 1, that the language of the claim can be interpreted as optional claim language. The Examiner also recommended that the claim be amended to use positively recited language. To facilitate prosecution of the present application, the Examiner suggested alternative claim language.

Upon review of the Examiner suggested claim language, Applicants made some further amendments to claim 1 to address the Examiner's concerns regarding optional claim language, and to more positively recite the features of the claim. Applicants made similar amendments to independent claims 14, 15, 20, 24, 26, 27, 28, 29, 32, and 35.

Applicants would further like to note that method claim 1, as amended by Applicants, is directed to operations where floor status information is included with session description messages, such as an offer message and an answer message (e.g., of the session description protocol). Thus, in some embodiments, the floor status information may be included into already generated session description messages, and in some embodiments, session description messages may be generated with the floor status information. These various embodiments are reflected in Applicants' claim language of "including, in a session description protocol message, generated in

accordance with a session description protocol, floor status information of a data communication media in relation to a party of a communication session, ...”

Applicants further note that the additional messages that are avoided by the inclusion of floor status information with DSP message are not necessarily session description protocol messages (as suggested in the Examiner's proposed alternative claim language for claim 1), but could be, for example, RTCP messages (see, for example, paragraphs 46 and 50 of the published application).

Specification

The Examiner objected to the disclosure, and requested that features recited in originally-filed claims 14 and 15 be supported by the specification. Applicants amended the specification in accordance with the Examiner's request.

CONCLUSION

On the basis of the foregoing amendments, the pending claims are in condition for allowance. It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper. Applicants ask that all the claims be allowed.

The Commissioner is authorized to charge any additional fees or credit overpayments to Deposit Account No. 50-0311, reference No. 39700-615001US/NC40217US. If there are any questions regarding this reply, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,



Ido Rabikovitch
Reg. No. L0080

Date: September 21, 2010

Address all written correspondence to
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111
Customer No. 64046
Telephone: 617-348-1806
Facsimile: 617-542-2241